

UNITED STATES PATENT AND TRADEMARK OFFICE  
BOARD OF PATENT APPEALS AND INTERFERENCES

Patent Interference No. 105,757

PFIZER INC.  
(U.S. Patents 5,710,023, 6,214,559, 6,248,714,  
6,268,480, 7,078,494 and 7,674,591),  
Junior Party,

v.

SANOFI-AVENTIS  
(U.S. Applications 11/183,599 and 11/185,230),  
Senior Party.

Before: RICHARD TORCZON, SALLY G. LANE and LORA M. GREEN,  
*Administrative Patent Judges.*

TORCZON, *Administrative Patent Judge.*

JUDGMENT  
Bd.R. 127  
on priority

In view of the decision on motions and priority,<sup>1</sup>

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<sup>1</sup> Paper 157.

Judgment is entered against the senior party (Sanofi) for count 3.<sup>2</sup>

Claims 50-53 and 56-59 of Sanofi's involved 11/183,599 application and claims 44, 45, 47, 53, 55-58 and 62-65 of Sanofi's involved 11/185,230 application are FINALLY REFUSED.<sup>3</sup>

A copy of this judgment will be entered in the administrative records of the involved patents and the involved applications.

cc:

James F. Haley, Jr., Jane T. Gunnison, and Z. Ying Li, ROPES & GRAY, LLP, of New York, New York for junior party.

Thomas J. Vetter and Paul Diamond, LUCAS & MERCANTI, LLP, of New York, New York, for senior party.

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<sup>2</sup> Paper 158 at 2.

<sup>3</sup> 35 U.S.C. 135(a).